

JAMES J. WARNER, ESQ., CSBN 63137  
**LAW OFFICES OF JAMES J. WARNER**

3233 Third Avenue  
San Diego, Ca 92103  
Telephone: (619) 243-7333  
Facsimile: (619) 243-7343

Attorney for Defendant

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|                           |   |                         |
|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, | ) | CASE NO. 07 mj 1772     |
|                           | ) |                         |
| Plaintiff,                | ) | MOTION AND APPLICATION  |
|                           | ) | TO PRATICE PRO HAC VICE |
| v.                        | ) |                         |
|                           | ) |                         |
| JOSE SOTO-ESPINOZA,       | ) | AFFIDAVIT OF PETITIONER |
|                           | ) | JAMES J. WARNER         |
|                           | ) |                         |
| Defendant.                | ) |                         |

Comes now, James J. Warner, hereby moves for permission to appear pro hac vice in the subject case. Petitioner states under penalty of perjury that he is a member in good standing of the bar of the United States Supreme Court, of the Supreme Court of the State of California and is a non-resident of New York. Petitioner is not currently suspended or disbarred in any other court. Petitioner has enclosed herewith a Certificate of Good Standing.

Petitioner's office address, and office telephone number, the courts to which he has been admitted and appeared Pro Hac Vice and the respective dates of admission are provided herein.

Petitioner: James J. Warner  
 Business address: 3233 Third Avenue  
 San Diego, CA 92103  
 (619) 243-7333

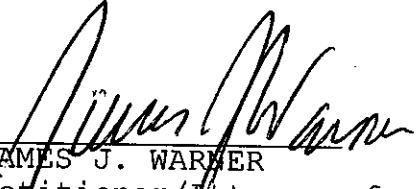
**BAR ADMISSION HISTORY**

| <u>Court to which</u>                    | <u>Location</u>  | <u>Admission Date</u> |
|--|------------------|-----------------------|
| <b>Admitted or Appeared Pro Hac Vice</b> |                  |                       |
| Supreme Court of United States           | Washington, D.C. | 1978                  |
| Supreme Court of California              | California       | 1974                  |
| U.S. District Court                      |                  |                       |
| So. District of California               | San Diego        | 1974                  |
| Cen. District of California              | Los Angeles      | 1978                  |
| Eastern District of California           | Sacramento       | 1982                  |
| Middle District of Tennessee             | Nashville        | 1983                  |
| No. District of California               | San Francisco    | 1984                  |
| District of Oregon                       | Portland         | 1985                  |
| District of Nevada                       | Reno             | 1987                  |
| Eastern District of Virginia             | Alexandria       | 1988                  |
| District of Arizona                      | Phoenix          | 1990                  |
| Middle District of Florida               | Jacksonville     | 1990                  |
| Eastern District of Missouri             | St. Louis        | 1990                  |
| District of Hawaii                       | Honolulu         | 1993                  |
| District of Washington                   | Seattle          | 1994                  |
| Eastern District of Wisconsin            | Milwaukee        | 1994                  |
| District of Maine                        | Portland         | 1995                  |
| District of Kansas                       | Topeka           | 1997                  |

|   |               |      |
|---|---------------|------|
| Western District of Virginia                  | Roanoke       | 1997 |
| District of Maryland, Southern Div. Greenbelt |               | 2003 |
| Eastern District of Michigan                  | Detroit       | 2003 |
| District of Vermont                           | Brattleboro   | 2005 |
| U.S. Court of Appeals                         |               |      |
| Ninth District                                | San Francisco | 1978 |
| Seventh Circuit                               | Chicago       | 1996 |
| Tenth Circuit                                 | Denver        | 1997 |

Executed on November 16, 2007, at San Diego, California.

I declare under penalty of perjury that the foregoing is true and correct.

  
JAMES J. WARNER  
Petitioner/Attorney for  
JOSE SOTO-ESPINOZA



**THE  
STATE BAR  
OF CALIFORNIA**

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180 HOWARD STREET  
SAN FRANCISCO, CALIFORNIA 94105-1639  
TELEPHONE (415) 538-2000

October 5, 2006

**TO WHOM IT MAY CONCERN:**

This is to certify that according to the records of the State Bar, JAMES JOSEPH WARNER, #63137 was admitted to the practice of law in this state by the Supreme Court of California on December 18, 1974; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

**THE STATE BAR OF CALIFORNIA**

**Waffa N. Salfiti  
Custodian of Membership Records**

JAMES J. WARNER, Esq. CSBN 63137  
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Attorney for Defendant  
JOSE SOTO-ESPINOZA

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

|                           |   |                        |
|---------------------------|---|------------------------|
| UNITED STATES OF AMERICA, | ) | CASE NO. 07 mj 1772    |
|                           | ) |                        |
| Plaintiff,                | ) | CERTIFICATE OF SERVICE |
|                           | ) |                        |
| v.                        | ) |                        |
|                           | ) |                        |
| JOSE SOTO-ESPINOZA,       | ) |                        |
|                           | ) |                        |
| Defendants.               | ) |                        |
| _____                     | ) |                        |

\_\_\_\_I hereby certify that on November 16, 2007 I electronically filed defendant's notice of Motion and Application to Practice Pro Hac Vice and Certificate of Good Standing with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to the email addressed of the individuals listed on the attached electronic service list.

|                          |                            |
|--------------------------|----------------------------|
|                          | Respectfully submitted,    |
| Dated: November 16, 2007 | <u>s/James J. Warner</u> — |
|                          | Attorney for Defendant     |